

# Exhibit 2

## STATE OF NEW YORK

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S. 3005--C

A. 3005--C

### SENATE - ASSEMBLY

January 22, 2025

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IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend chapter 887 of the laws of 1983, amending the correction law relating to the psychological testing of candidates, in relation to the effectiveness thereof; to amend chapter 428 of the laws of 1999, amending the executive law and the criminal procedure law relating to expanding the geographic area of employment of certain police officers, in relation to extending the expiration of such chapter; to amend chapter 886 of the laws of 1972, amending the correction law and the penal law relating to prisoner furloughs in certain cases and the crime of absconding therefrom, in relation to the effectiveness thereof; to amend chapter 261 of the laws of 1987, amending chapters 50, 53 and 54 of the laws of 1987, the correction law, the penal law and other chapters and laws relating to correctional facilities, in relation to the effectiveness thereof; to amend chapter 339 of the laws of 1972, amending the correction law and the penal law relating to inmate work release, furlough and leave, in relation to the effectiveness thereof; to amend chapter 60 of the laws of 1994 relating to certain provisions which impact upon expenditure of certain appropriations made by chapter 50 of the laws of 1994 enacting the state operations budget, in relation to the effectiveness thereof; to amend chapter 55 of the laws of 1992, amending the tax law and other laws

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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§ 6. Section 6-146 of the election law is amended by adding a new subdivision 8 to read as follows:

8. In the case of a joint designation or joint nomination for the offices of governor and lieutenant governor made pursuant to this article, a declination filed by either candidate shall only constitute a declination by the declining candidate and shall create a vacancy in such joint designation or joint nomination. A vacancy in the joint designation or joint nomination for the offices of governor and lieutenant governor shall be filled in accordance with the provisions for filling vacancies in section 6-148 of this article.

§ 7. Subdivision 3 of section 6-148 of the election law, as amended by chapter 234 of the laws of 1976, is amended and a new subdivision 7 is added to read as follows:

3. A vacancy in a nomination made at a primary, or by a tie vote thereof, may be filled by a majority of the members, of the party committee or committees last elected in the political subdivision in which the vacancy occurs, present at a meeting at which there is a quorum, or by a majority of such other committee as the rules of the party may provide; provided, however, that a vacancy in a joint nomination for the offices of governor and lieutenant governor made at a primary election, or a vacancy in a joint designation or joint nomination for such offices caused by declination, death, or disqualification and not filled by the committee to fill vacancies, shall be filled by the appropriate committee or committees pursuant to this subdivision and party rules. A single certificate shall be filed pursuant to the requirements of subdivisions four and five of this section to fill such vacancy.

7. A vacancy occurring in a joint designation or joint nomination for the offices of governor and lieutenant governor before a primary election, whether caused by declination pursuant to section 6-146 of this article, or by the death or disqualification of either candidate designated or nominated, may be filled by the committee to fill vacancies shown upon the face of the petition or certificate of such joint designation or joint nomination. Such vacancy in the joint designation or joint nomination shall be filled by the making and filing of a single certificate, setting forth the fact and cause of the vacancy, the title of the vacant office in the joint designation or joint nomination, the names of the original candidates, and the name and address of the candidate or candidates newly designated or nominated jointly for the offices of governor and lieutenant governor. Such certificate shall comply with the requirements of subdivisions four and five of this section.

§ 8. Subdivision 1 of section 7-114 of the election law is amended by adding a new paragraph (d) to read as follows:

(d) For the offices of governor and lieutenant governor, ballots shall be printed with the names of the candidates for both offices who were designated jointly. The names shall appear in the same row or column, with the name of the candidate for governor appearing first. The ballot shall have one designating letter or number to reflect the offices are voted for jointly.

§ 9. This act shall take effect immediately.

#### PART RR

Section 1. The legislature hereby finds and declares as follows:

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1 The state constitution and executive law enumerate the distinctly  
2 separate powers, duties and obligations of the governor and the attorney  
3 general. The governor and attorney general are independently elected  
4 statewide officials in New York. The governor is vested with the execu-  
5 tive power of the state. The governor is charged with overseeing execu-  
6 tive agencies and entities, and ensuring that the laws of the state are  
7 faithfully executed. The executive law expressly authorizes appointment  
8 of a counsel to the governor.

9 The attorney general leads the department of law. In that capacity,  
10 the attorney general defends against lawsuits brought against the state  
11 or its agencies or officials, upon their request and pursuant to law.  
12 The attorney general also has independent authority to bring civil law  
13 enforcement actions, including on behalf of the people of the state of  
14 New York to protect consumers and markets from unlawful actions. In such  
15 a civil enforcement action, the attorney general does not act as an  
16 attorney representing the governor, a state official, or a state agency.  
17 In exercising such duties, the attorney general does not in the ordinary  
18 course gain access to, or legal or practical control over, state agency  
19 or entity materials outside the department of law.

20 Recent court decisions have failed to recognize and adhere to the  
21 state's constitutional separation of powers and longstanding legal prin-  
22 ciples regarding the distinct roles and responsibilities of the attorney  
23 general and the governor and executive agencies. These decisions place  
24 an improper burden on the attorney general to obtain materials outside  
25 the control of the department of law in the midst of a civil enforcement  
26 action. Moreover, such decisions impose unforeseen and significant  
27 discovery costs and burdens on executive agencies and their employees,  
28 and create the potential for conflicts of interest. The legislature  
29 therefore sees fit to reconfirm New York law to reflect the purpose and  
30 principles set forth herein.

31 § 2. Section 63 of the executive law is amended by adding a new subdivi-  
32 sion 18 to read as follows:

33 18. Notwithstanding any other law to the contrary, in any civil  
34 enforcement action initiated by the attorney-general, neither the attor-  
35 ney-general nor the department of law has, or shall be deemed to have,  
36 possession, custody, or control of, or the right, authority, or practi-  
37 cal ability to obtain documents, communications, other information, or  
38 personnel of any agency, entity, or authority other than the department  
39 of law.

40 § 3. This act shall take effect immediately and shall apply to all  
41 pending actions brought by the attorney general as well as all actions  
42 commenced on or after such date.

43 PART SS

44 Section 1. Subdivision 17 of section 501 of the retirement and social  
45 security law, as amended by chapter 18 of the laws of 2012, is amended  
46 to read as follows:

47 17. "Normal retirement age" shall be age sixty-two, for general  
48 members, and the age at which a member completes or would have completed  
49 twenty-two years of service, for police/fire members, New York city  
50 uniformed correction/sanitation revised plan members and investigator  
51 revised plan members, except that for police/fire members of the New  
52 York city police pension fund, normal retirement age shall be the age at  
53 which a member completes or would have completed twenty years of  
54 service.